

REMARKS

Applicants request favorable reconsideration and allowance of this application in view of the foregoing amendments and the following remarks.

Claims 1-2, 4, 5, 8, 10-14, 16, 17, and 20-22, 24-28, 30-33, 35, and 36 are pending in this application, with Claims 1, 13, 27, and 32 being independent. Claims 7, 9, 19, 23, 29 and 34 have been cancelled herein without prejudice to or disclaimer of the subject matter presented therein.

Claims 1, 2, 5, 8, 11, 13, 14, 17, 22, 25, 27, 28, and 31-33 have been amended. Applicants submit that support for the amendments can be found in the original disclosure, and therefore no new matter has been added.

The Abstract and Summary of the Invention have been amended to conform with the pending claims. No new matter has been added.

Claims 1, 2, 4, 5, 7-14, 16, 17 and 19-36 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Kondoh et al. (U.S. Patent 6,968,058) in view of Kobayashi et al. (U.S. Patent 7,124,094). Applicants respectfully traverse this rejection for the reasons discussed below.

As recited in independent Claim 1, the present invention includes, *inter alia*, the features of generating first verification data from image using a common key in common key cryptography, verifying whether the image data is altered using the image data, the first verification data, and the common key, and generating second verification data from the image data using a private key in public key cryptography without editing the image data, if it is verified that the image data is not altered. Applicants submit that the cited art fails to disclose or suggest these features as recited in Claim 1. In particular, none of the cited art discloses or suggests

generating second verification data using a private key in public key cryptography without editing the image data, if it is verified using a common key that image data is not altered.

Kondoh discloses generating a MAC2 by a MAC generating unit 88 by using MD2 generated by an MD generating unit 87 to which “editing history data of image file after editing” is input. Thus, it does not disclose or suggest generating second verification data from image data using a private key without editing the image data. Kobayashi is merely cited as teaching a common key cryptography method to encrypt image data and fails to remedy this deficiency of Kondoh. Accordingly, Applicants submit that neither of those references discloses or suggests the claimed generation of second verification data without editing the image data, as recited in Claim 1.

Further, Applicants respectfully traverse the proposed combination of cited art. The object of Kondoh et al. is to provide strict security so that photographic evidence collected using a camera can be relied upon in court with confidence that the images have not been altered. Applicants submit that one skilled in the art would not substitute the common key encryption system of Kobayashi for the public key encryption system of Kondoh, because a common key encryption system would be less secure and would not achieve the intended object of Kondoh to maintain strict security so that there is certainty that evidence has not been altered.

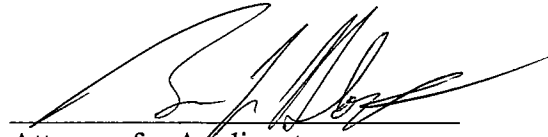
For the foregoing reasons, Applicants submit that the present invention recited in independent Claim 1 is patentable over the art of record, whether that art is considered individually or taken in combination. The other independent claims recite features similar to those of Claim 1 discussed above and are believed patentable for similar reasons.

The dependent claims are patentable for at least the same reasons as the independent claims, as well as for the additional features they recite.

In view of the foregoing, Applicants submit that the present application is in condition for allowance. An early Notice of Allowance is requested.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'B. L. Klock', is written over a horizontal line.

Attorney for Applicants
Brian L. Klock
Registration No. 36,570

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile: (212) 218-2200
BLK/lcw

FCBS_WS 2089857_1.DOC